

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA	:	CASE NO. 3:23-MJ-219
	:	
v.	:	
	:	
BILLY RAY DANIEL	:	

**SECOND ORDER EXTENDING TIME PERIOD  
FOR FILING INDICTMENT OR INFORMATION**

Having read and considered (1) the parties' Second Joint Motion for Order Extending Time Period for Filing Indictment or Information and (2) Defendant's Second Waiver of Timely Indictment or Information, the Court hereby **GRANTS** the Joint Motion. In so doing, the Court finds that Defendant's waiver is knowing, intelligent, and voluntary. The Court further finds pursuant to 18 U.S.C. § 3161(h)(7)(A), after considering the factors set forth in 18 U.S.C. § 3161(h)(7)(B), that the ends of justice served by granting the extension outweigh the best interest of the public and Defendant in a speedy indictment, information, and trial. The Court makes this ends-of-justice finding because failure to grant the requested extension would deny counsel for Defendant and/or the attorney for the United States the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and result in a miscarriage of justice by denying the parties an adequate opportunity to evaluate the current charges; review informal discovery; and discuss, consider, and negotiate a possible pre-indictment resolution of this matter.

Accordingly, the time period specified in 18 U.S.C. § 3161(b), within which the United States must file an indictment or information relative to the current charges in this matter, is extended for an additional period of thirty-five (35) days, up to and including July 27, 2023. The time period from the date when an indictment or information must have been filed originally,

namely, June 22, 2023, up to and including August 31, 2023, shall, in addition to all other excludable time, be excluded in computing the time within which an indictment or information relative to the charge in this matter must be filed.

Date: July 20, 2023

  
UNITED STATES MAGISTRATE JUDGE